



February 6, 2009

SENATE BILL No. 481

DIGEST OF SB 481 (Updated February 3, 2009 5:58 pm - DI 104)

Citations Affected: IC 16-18; IC 16-37.

Synopsis: Electronic birth and death registration. Requires the state department of health to develop electronic birth and death registration systems to be used to record birth, death, and stillbirth information. Specifies the time frames for submitting the records.

Effective: July 1, 2009.

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January 15, 2009, read first time and referred to Committee on Health and Provider Services.
February 5, 2009, amended, reported favorably — Do Pass.

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SB 481—LS 7285/DI 14+



February 6, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 481

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-18-2-187.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: **Sec. 187.5. "Indiana birth registration**
4 **system" or "IBRS", for purposes of IC 16-37, means the electronic**
5 **system of recording births established under IC 16-37-1-3.1.**
6 SECTION 2. IC 16-18-2-187.6 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2009]: **Sec. 187.6. "Indiana death**
9 **registration system" or "IDRS", for purposes of IC 16-37, means**
10 **the electronic system of recording deaths and stillbirths established**
11 **under IC 16-37-1-3.1.**
12 SECTION 3. IC 16-18-2-276 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 276. "Person in
14 attendance at birth", for purposes of **IC 16-37-1** and IC 16-37-2, has
15 the meaning set forth in IC 16-37-2-1.
16 SECTION 4. IC 16-18-2-277 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 277. "Person in charge

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of interment", for purposes of **IC 16-37-1 and IC 16-37-3**, has the meaning set forth in IC 16-37-3-2.

SECTION 5. IC 16-37-1-3.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 3.1 (a) The state department shall establish the Indiana birth registration system (IBRS) for recording in an electronic format live births in Indiana.**

(b) The state department shall establish the Indiana death registration system (IDRS) for recording in an electronic format deaths and stillbirths in Indiana.

(c) Submission of records on births, deaths, and stillbirths shall be entered by:

- (1) funeral directors;**
- (2) physicians;**
- (3) coroners;**
- (4) medical examiners;**
- (5) persons in attendance at birth; and**
- (6) local health departments;**

using the electronic system created by the state department under this section.

(d) A person in attendance at a live birth shall report a birth to the local health officer in accordance with IC 16-37-2-2.

(e) Death records shall be submitted as follows, using the Indiana death registration system:

- (1) The person in charge of interment shall initiate the document process and electronically submit the certificate required under IC 16-37-3-5 to the physician last in attendance upon the deceased not later than five (5) days after the death or stillbirth.**
- (2) The physician last in attendance upon the deceased shall electronically certify to the local health department the cause of death on the certificate of death or stillbirth not later than five (5) days after receiving under IC 16-37-3-5 the electronic notification from the person in charge of interment.**
- (3) The local health officer shall submit the reports required under IC 16-37-1-5 to the state department not later than five (5) days after electronically receiving under IC 16-37-3-5 the completed certificate of death or stillbirth from the physician last in attendance.**

SECTION 6. IC 16-37-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5. (a) On the fourth day of each month The local health officer shall use the Indiana birth**

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1 **registration system (IBRS) and the Indiana death registration**
 2 **system (IDRS) to report to the state department concerning the births,**
 3 **deaths, and stillbirths that occurred within the local health officer's**
 4 **jurisdiction within the preceding month. not later than five (5) days**
 5 **after electronically receiving the forms required for the Indiana**
 6 **birth registration system or the Indiana death registration system.**

7 (b) If there are no births, deaths, or stillbirths to report, the local
 8 health officer shall indicate that information **each month on a an**
 9 **electronic** form prescribed by the state department.

10 SECTION 7. IC 16-37-2-2 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A person in
 12 attendance at a live birth shall do the following:

13 (1) ~~File~~ **Use the Indiana birth registration system to**
 14 **electronically file** with the local health officer the following:

15 (A) A certificate of birth.

16 (B) Any paternity affidavit executed under section 2.1(c)(1) of
 17 this chapter.

18 (2) Advise the mother of a child born out of wedlock of:

19 (A) the availability of paternity affidavits under section 2.1 of
 20 this chapter; and

21 (B) the existence of the putative father registry established by
 22 IC 31-19-5-2.

23 (b) If there was no person in attendance at the birth, one (1) of the
 24 parents shall file with the local health officer the following:

25 (1) A certificate of birth.

26 (2) Any paternity affidavit executed under section 2.1 of this
 27 chapter.

28 (c) If:

29 (1) no person was in attendance at the birth and neither parent is
 30 able to prepare the certificate; or

31 (2) the local health officer does not receive a certificate of birth;
 32 the local health officer shall prepare a certificate of birth from
 33 information secured from any person who has knowledge of the birth.

34 (d) A local health department shall inform the Title IV-D agency (as
 35 defined in IC 31-9-2-130) regarding each paternity affidavit executed
 36 under section 2.1 of this chapter that the local health department
 37 receives under this section.

38 (e) A paternity affidavit executed under section 2.1(c)(1) of this
 39 chapter shall be filed with the local health officer not more than five (5)
 40 days after the child's birth.

41 (f) An attorney or agency that arranges an adoption may at any time
 42 request that the state department search its records to determine

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whether a man executed a paternity affidavit under section 2.1 of this chapter in relation to a child who is or may be the subject of an adoption that the attorney or agency is arranging.

(g) Not more than ten (10) days after receiving a request from an attorney or agency under subsection (f), the state department shall submit an affidavit to the attorney or agency verifying whether a paternity affidavit has been filed under this section. If a paternity affidavit has been filed regarding a child who is the subject of a request under subsection (f), the state department shall release a copy of the paternity affidavit to the requesting attorney or agency.

SECTION 8. IC 16-37-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. The person in charge of interment shall **use the Indiana death registration system to** file a certificate of death or of stillbirth with the local health officer of the jurisdiction in which the death or stillbirth occurred.

SECTION 9. IC 16-37-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. **Using the Indiana death registration system**, the person in charge of interment shall ~~present electronically provide~~ a certificate of death ~~or stillbirth to the physician last in attendance upon the deceased.~~ The physician last in attendance upon the deceased ~~who shall electronically certify to the local health department the cause of death upon the certificate of death or of stillbirth.~~ **on the certificate of death or stillbirth, using the Indiana death registration system.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 481, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 11 and 12, begin a new paragraph and insert:
"SECTION 3. IC 16-18-2-276 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 276. "Person in attendance at birth", for purposes of **IC 16-37-1 and** IC 16-37-2, has the meaning set forth in IC 16-37-2-1."

Page 2, line 13, delete "live births;" and insert "**birth;**".

Page 2, line 17, delete "the live" and insert "**a**".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 481 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

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